



TOWN OF LOS GATOS

ARTS COMMISSION

Penelope O'Neill, Chair	Jade Bradbury, Vice-Chair
Shawn Charnaw	Mary Curtis
Marianne Hamilton	Valerie Hopkins
Jonathan Knowles	David Stonesifer
Colleen Wilcox	

TOWN OF LOS GATOS ARTS COMMISSION

WEDNESDAY, FEBRUARY 11, 2009
PLEASE NOTE TIME CHANGE: 4 P.M.

**208 East Main Street
Neighborhood Center
Los Gatos, California**

PARTICIPATION IN THE PUBLIC PROCESS

The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item NOT on the agenda, you may do so during the "Verbal Communications" period. The time allocated to speakers may change to better facilitate the Arts Commission meeting.

The purpose of the Arts Commission meeting is to conduct the business of the community in an effective and efficient manner. This is done by following meeting guidelines set forth in State law and in the Town Code. Conduct which is considered disruptive during Arts Commission meetings includes, but is not limited to:

- Addressing the Arts Commission without first being recognized;
- Interrupting speakers, Arts Commission members, and Town staff;
- Continuing to speak after the allotted time has expired;
- Failing to relinquish the podium when directed to do so; and
- Repetitiously addressing the same subject.

For the benefit of the community, the Town of Los Gatos asks that you follow the Town's meeting guidelines while attending Arts Commission meetings and treat everyone with respect and dignity.

Writings related to an item on Arts Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public review at the front desk of the Los Gatos Public Library, located at 110 E. Main Street and are also published on the on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Neighborhood Center at the front desk.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Services Department at (408) 354-6888. Notification 48 hours before the meeting will enable the Town to make reasonable arrangements to ensure accessibility to the meeting. [28 CFR 35, 102-35.104]

1. **ROLL CALL**
 - 1.1 Introductions
2. **APPROVAL OF JANUARY 14, 2009 MINUTES** (Attachment 1)
3. **COMMUNICATIONS**

Verbal (Three minute time limit per speaker for subjects not agendized)

Written
4. **COMMITTEE REPORTS:**
 - 4.1 Music in the Park (Hopkins/Knowles)
 - a. Approve Proposal for Future Oversight of Music in the Park (Attachment 2)
 - b. Update Regarding Budget/Sponsorships (Attachment 3)
 - 4.2 Status Report Regarding Art In the Council Chambers – (Bradbury)
 - 4.3 Steering Committee
 - a. Review and Discuss Council/Commission Retreat Questionnaire
 - 4.4 Community Grant Evaluation Process: Status Report (O'Neill)
5. **LIAISON REPORTS (Networking the Arts)**

(Three minute time limit per report)
6. **ADJOURNMENT**

Adjourn to Wednesday, March 11, 2009.

Attachments

1. January 14, 2009 Minutes
2. Proposal for Future Oversight of Music in the Park
3. Budget/Sponsorship

ATTENDANCE: Please contact the Commission Chair or the Community Services Department at (408) 354-6888 if you are unable to attend. The current Town Attendance Resolution states that any commissioner who is absent from four regular meetings held in a twelve month period, shall surrender his or her office on the Commission.



MEMORANDUM

Community Services Department

To: Arts Commission

From: Regina Falkner
Community Services Director

Subject: Approve Proposal for Future Oversight of Music in the Park

Date: February 6, 2009

RECOMMENDATION:

That the Arts Commission approve the Music in the Park (MIP) Committee recommendation regarding future oversight of the MIP concert series; and, that the Arts Commission forward the proposal to Town Council for consideration.

DISCUSSION:

Attached is a proposal from the MIP Committee which recommends that coordination and management of the MIP concert series be transferred to the non-profit agency, Los Gatos Music and Art (LGM&A.) LGM&A funds and manages the Jazz in the Plazz concert series held at Town Plaza Park. Staff supports the recommendation.

If the Arts Commission approves the Proposal, it will be forwarded to Council for its consideration at a March Council meeting. Council approval would be followed by negotiations with Los Gatos Music and Art; the discussions would be aimed at preparing a final contract for presentation to the LGM&A Board and the Town Council no later than August, 2009. This would allow for transfer of the MIP project from the Town to LGM&A by September.

The contract will address coordination and funding elements including a transition timetable, program purpose, number of concerts, sponsorships, and use of Town facilities. It is anticipated that the MIP fund balance will be granted to the agency over the contract term to offset Town labor costs. The contract will provide for regular project evaluation and allow for project amendments, as necessary.

PROPOSAL FOR FUTURE OVERSIGHT OF MUSIC IN THE PARK

Executive Summary

For 20 years, the Los Gatos Arts Commission has been responsible for producing the town's annual *Music in the Park* (MIP) summer concert series. The Arts Commission is appointed by and serves at the pleasure of the Los Gatos Town Council, and receives guidance and administrative support from the Community Services Department (CSD).

This concert series is funded by donations from local businesses and individuals at a variety of levels ranging from \$250.00 to \$5000.00. These sponsorships cover the costs of hiring the performers and sound technician, printing posters and other collateral materials, fees paid to Parks & Public Works employees, business license fees, advertising costs, porta-potties, temporary workers, website maintenance, and any capital expenses (such as new and replacement staging and drapery).

Community Services Department (CSD) staff provides administrative support and oversight of the Arts Commission and MIP. Neither the Arts Commission nor MIP sponsors reimburse the Town for the hours contributed by CSD staff. Instead, this administrative support is an expense to the Town.

In the span of the last two decades, MIP has grown significantly in size and production complexity – from a few concerts attended by fewer than 1,000 people each summer, to a full slate of 10-12 concerts with an average attendance of over 3,000 at each. The response from Town residents has been overwhelmingly positive, and local businesses and individuals have generously continued to demonstrate their support for the 2009 MIP series.

Current Challenges

The Arts Commission has encountered several issues that restrict its ability to manage and produce MIP effectively. These include:

1. *Solicitation policy* – Current Town policy forbids all other commissions from soliciting funds from the general public, with the goal of eliminating any potential “quid pro quo” situations. Although Council members were kind enough to make an exception for the Arts Commission during the 2008 MIP season, we recognize that this is a very “grey” area.
2. *Contract negotiations* – Town policy has occasionally presented challenges with regard to the selection of the optimum vendors for MIP: Given that Los Gatos has a “lowest bid” policy, the Arts Commission has been unable to select preferred vendors.

3. *Impact on Town staff* – CSD reports that its workload has increased dramatically. Given the recent history of MIP, the Arts Commission has an expectation of still further growth in the future – with a correspondent increase in the amount of administrative support that would be provided by the CSD.
4. *Brown Act considerations* – The success of MIP (and every large-scale production) depends on close collaborations between committee members selected to oversee various aspects of the concert series. At certain times during the production process (particularly during the fundraising season, and just prior to the launch of the first concert), consultations, meetings, and phone calls are necessary on a daily basis; often several times daily. Yet, since the Arts Commission is made up of volunteers who serve as representatives of the Town, all such interactions must be made open and transparent – meaning that all such meetings must be publicly posted and available for attendance by anyone who chooses to do so, lest the Commission be in violation of the Brown Act. Given the necessary lead-time for this process, this is a highly unworkable model for MIP committee members who must be proactive and respond quickly as very dynamic, real-time situations dictate.
5. *Reserves* – Currently, the Town has a reserve account for MIP totaling approximately \$39,000. These funds are designated for paying the performers and other related expenses detailed in the Executive Summary above. The Arts Commission wishes to ensure that these funds will remain available to continue producing MIP in the future. Once they have been exhausted, any additional expenses will be covered via the model outlined below.

Opportunities

In 2002, former Arts Commission and MIP Chair Teri Hope launched the *jazz on the plazz* (JOTP) summer concert series. JOTP has since become highly successful and an important part of our town. In 2008, Teri and other community leaders formed Los Gatos Music and Arts (LGM&A), a registered 501(c)(3) non-profit organization whose mission is to inspire, nurture, develop, and produce educational programs, scholarships, concerts, and other artistic programs which promote music and the fine arts for the benefit of the community of Los Gatos. LGM&A is a funding source for The Museums of Los Gatos, A Place for Teens, and other arts-related organizations. LGM&A has a strong management team and board of directors, and a proven commitment to the arts in Los Gatos.

The Los Gatos Arts Commission would like to propose the creation of a new organizational structure for MIP, such that the concert series would be moved under the “umbrella” of Los Gatos Music and Arts. It is our hope that this new arrangement can eliminate the above-mentioned “hurdles,” and position MIP for continued success in the years to come. We believe that such a shift makes sense for many reasons:

1. With a single, unified fundraising “machine,” versus two smaller groups competing for the same sponsor dollars from local businesses and private donors, MIP and JOTP can avoid the duplication of fundraising efforts. At the same time, sponsors will only receive one solicitation request for both series, which will likely improve both JOTP’s and MIP’s chances of receiving financial support.
2. Given that LGM&A personnel is not appointed by the Town, adherence to Brown Act policy that currently governs (and restricts) meetings will no longer be necessary. Also, LGM&A personnel will be free to send and receive correspondence as necessary, solicit the ideal concert vendors, and negotiate all relevant contracts.
3. One of the current MIP Co-Chairs currently serves on the LGM&A board; the other will join the LGM&A board at the end of her term on the Arts Commission this December. This will create ideal short-term collaboration between the two groups. In the long term, these synergies can ensure a smooth transition to the new management and production model, and maintain a consistent level of quality for MIP.
4. Informal, exploratory discussion with the LGM&A board have been extremely positive, with all parties expressing enthusiasm for uniting the two concert series under one organization. Clearly, the LGM&A board sees the value in combining its efforts with the Arts Commission. Additionally, LGM&A has an extensive group of volunteers who could be tapped to support MIP.
5. Most importantly, by transitioning MIP away from the Town’s purview and over to LGM&A, Town staff would enjoy a greatly reduced administrative workload. Freed from the responsibility of MIP oversight, CSD staff members could devote the hours formerly dedicated to MIP to other tasks.

Liaison – Arts Commission & MIP

While the Arts Commission sees the value inherent in shifting fundraising, management and production of MIP to LGM&A, we are also cognizant of the fact that the concert series will still be presented as a benefit for Town residents. LGM&A will enthusiastically encourage the weekly participation at MIP by Town Council members, and will continue to extend the Town’s “brand” at all concerts. At the same time, all current Arts Commissioners will be invited to serve on the board of LGM&A. In the best of all worlds, this transition will be completely seamless to any and all concert attendees, and MIP will continue to be as successful as it has been in years past. From an attendee perspective, there will be no discernable difference.

Conclusion

The Los Gatos Arts Commission recognizes that Music in the Park is a truly unique, “Los Gatos-style” event, and with steady growth has taken on its own life in the past several

years. Our aim is to ensure the future viability of the concert series, which will likely mean that “business as usual” is no longer a relevant model. With the support of Council we hope to solidify the transition to LGM&A beginning with the 2010 MIP season (this transition ideally will take place at the end of August, 2009, when planning for the 2010 MIP season begins). We believe this will allow for the continuation of this wonderful benefit for Town residents, and create a scalable model for future success. By aligning MIP with Los Gatos Music and Arts, we can realize those goals. We look forward to Council’s feedback and recommendations.

Music in the Park 2009 Budget

Attachment 3

EXPENSES			REVENUES		
	<u>Band</u>	<u>Cost</u>		<u>Sponsor</u>	<u>Deposit</u> <u>Pledged</u>
06/21/09	David Martin's House Party	\$3,000.00			
06/28/09	The Refugees	\$1,400.00		Los Gatos Lions Club (6/21)	\$1,250.00 \$1,500.00
07/05/09	Mark Russo & Classy Cats	\$2,000.00		Comerica Bank (6/28)	\$1,250.00
07/12/09	Carlos Reyes	\$3,000.00		Saratoga Retirement (7/5)	\$1,250.00
07/19/09	Caravanserai	\$2,500.00		Art Institute of CA - Sunnyvale(7/19)	\$1,250.00
07/26/09	Houston Jones	\$1,200.00		Andale Restaurant (7/19)	\$1,250.00 \$1,250.00
08/02/09	California Beach Boys	\$1,800.00		Del Grande Dealer Group (8/2)	\$1,250.00
08/09/09	Unauthorized Rolling Stones	\$2,500.00		Whole Foods Market - LG (8/2)	\$1,250.00 \$1,250.00
08/23/09	Led Zepagain	\$3,500.00		Classic Car Wash (8/2)	\$1,250.00 \$1,250.00
08/30/09	Journey	\$2,500.00		Michael Kane Financial Serv (8/23)	\$1,250.00 \$1,250.00
				Akeena Solar (6/21)	\$1,500.00 \$1,500.00
	Sound (10x			Akeena Solar (8/30)	\$1,500.00 \$1,500.00
				LG Coffee Roasting Co. (8/23)	\$1,250.00 \$1,250.00
	Band Subtotal	\$23,400.00		Flick Enterprises, Inc. (8/9)	\$1,250.00 \$1,250.00
				Los Gatos Roofing (8/30)	\$1,500.00 \$1,500.00
				The Summit League (8/30)	\$1,500.00 \$1,500.00
				Trevese Restaurant (8/23)	\$1,250.00
				Kiwanis Club (8/9)	\$1,250.00 \$1,250.00
	Other expenses	Est. Cost		Purple Onion (6/28)	\$350.00 \$1,250.00
3hrs@15.50	Bldg Attend.NC (restrooms)	\$500.00		Intero Real Estate (6/21)	\$750.00 \$1,500.00
\$45 each	Business Licenses	\$500.00		Los Gatos Morning Rotary (8/30)	\$1,500.00
200 min ord	Poster Printing (11x14 - 250)*	\$500.00		College Planning ABC (7/19)	\$1,250.00
\$25/hr	Temp Workers	\$2,400.00		Bentley Silicon Valley (8/9)	\$1,250.00 \$1,250.00
	PPW Set-up and Cleanup	\$3,318.00		Harrell Remodeling (6/28)	\$1,250.00 \$1,250.00
	Weekly Times	\$500.00		Harrell Remodeling (7/19)	\$1,250.00 \$1,250.00
	Program/Poster/Ad (layout/design)	\$600.00		Harrell Remodeling (8/9)	\$1,250.00 \$1,250.00
	porta-potties	\$3,300.00		Campo di Bocce of Los Gatos (6/21)	\$1,500.00 \$1,500.00
				Alain Pinel Realtors (8/2)	\$1,250.00 \$1,250.00
				Stonesifer, David & Arzie, Larry	\$1,250.00 \$1,250.00
				Hopkins, John & Valerie	\$1,250.00 \$1,250.00
				El Camino Hospital (8/23)	\$1,250.00 \$1,250.00
	Miscellaneous Expenses:			Lucchesi Communications	\$1,250.00 \$1,250.00
to fin 11/13	Marianne Hamilton - stage skirt clean	\$100.00	final		
				SILVER SPONSORS:	
				Lucas, Don & Sally	\$500.00 \$500.00
				O'Neil, Penelope & Lundell, Tim	
				McDonald, John & Ginger	
				Pearson, Sam & Addie	
				Seaman, Scott & Christina	
				Talesfore, Nick & Joanne	
	Other Expense Total:	\$11,718.00		Wasserman, Mike & Kim	
				The Terraces of Los Gatos	
				Shea, Patrick @ GoZone Games	
	Program / Account	Project		Triplett Enterprises	\$250.00 \$250.00
	6204-62411 (General)	MIPSUM09		DiNapoli, Rick & Julie	
	6204-45431 (Revenue)	MIPSUM09		Druian, Jay & Sallie (French Cellar)	
				Groves, Chris & Elke	
	Tax ID # 94-6001435			Hall, Rebecca	
				Knowles, Jonathan & Kelly	
1x expenses	Large Program Banners	\$500.00		Kellogg, Steven	\$250.00 \$250.00
	Drum riser	\$1,900.00		Blacy's Fine Jewelry	\$250.00 \$250.00
	Astroturf	\$200.00		Currie, Christine & Rob	
	total 1x expenses	\$2,600.00		Curtis, Mary	
				Decker, Sandy	
	Actual To Date Total:	\$29,850.00			
	Deposit Balance Total:	\$0.00			
		\$29,850.00			
	MIP Revenues	\$29,850.00			
	MIP Expenses	\$35,118.00			
	2009 NET:	(\$5,268.00)			
	2009 budget \$42,118				
	Reserve Balance:	\$ 37,849.33			
	Art Cat Donation Balance:	\$1,126.48			
	Total Reserves:	\$ 38,975.81			

Town of Los Gatos Arts Commission
MUSIC IN THE PARK
2009 Summer Concert Series

Date & Time	Performers & Style	Sponsors	A.C Member	Council Member	Notes
Sunday, June 21 5:00 – 7:00 PM	<i>David Martin's House Party</i>	1. Akeena – paid 2. Los Gatos Lions Club – dep. paid 3. Intero Real Estate - dep. paid 4. Campo di Bocce – paid	1. 2. 3. 4.	1. 2.	
Sunday, June 28 5:00 – 7:00 PM	<i>The Refugees (Tom Petty tribute)</i>	1. Comerica Bank – not paid 2. Harrell Remodeling – paid 3. PurpleOnion, Inc – dep. paid 4. Stonesifer, David & Arzie, Larry - pd	1. 2. 3. 4.	1. 2.	
Sunday, July 5 5:00 – 7:00 PM	<i>Mark Russo & the Classy Cats</i>	1. Saratoga Retirement - paid 2. 3. 4.	1. 2. 3. 4.	1. 2.	
Sunday, July 12 5:00 – 7:00 PM	<i>Carlos Reyes (classical jazz)</i>	1. 2. 3. 4.	1. 2. 3. 4.	1. 2.	
Sunday, July 19 5:00 – 7:00 PM	<i>Caracanserai (Santana tribute)</i>	1. Andale Mexican Restaurant – paid 2. Art Institute of CA – not paid 3. Harrell Remodeling – paid 4. College Planning ABC – not paid	1. 2. 3. 4.	1. 2.	
Sunday, July 26 5:00 – 7:00 PM	<i>Houston James (country)</i>	1. 2. 3. 4.	1. 2. 3. 4.	1. 2.	

Sunday, Aug. 2 5:00 –7:00 PM	<i>California Beach Boys (tribute)</i>	1. Classic Car Wash - paid 2. Del Grande – not paid 3. Alain Pinel Realtors – paid 4. Whole Foods LG – paid	1. 2. 3. 4.	1. 2.	
Sunday, Aug. 9 5:00 –7:00 PM	<i>Unauthorized Rolling Stones</i>	1. Harrell Remodeling – paid 2. Kiwanis Club – paid 3. Flick Enterprises - paid 4. Bentley Silicon Valley – paid	1. 2. 3. 4.	1. 2.	
Saturday, Aug. 15 Sunday, Aug.16 10:00 – 6:00 PM	Fiesta de Artes Sponsored by Kiwanis Club of Los Gatos	N/A -	N/A	N/A	
Sunday, Aug. 23 5:00 –7:00 PM	<i>Led Zepagain (tribute)</i>	1. Michael Kane Financial – paid 2. Trevese Restaurant– not paid 3. LG Coffee Roasting Co. – not paid 4. El Camino Hospital - not paid	1. 2. 3. 4.	1. 2.	
Sunday, Aug. 30 5:00 –7:00 PM	<i>Journey Unauthorized (tribute)</i>	1. Akeena Solar – paid 2. Los Gatos Roofing – paid 3. Summit League – paid 4. Los Gatos Morning Rotary– not paid	1. 2. 3. 4.	1. 2.	

Not signed up for concert: John & Valerie Hopkins – paid \$1,250; Lucchesi Communications – paid \$1,250